

Santa Rosa County Sheriff's Office

16-022



Santa Rosa County Sheriff's Office

Sheriff Wendell Hall

CITIZEN COMPLAINT REPORT

Nature of Complaint: unlawful force Date of Incident: 6/8/16

Location of Incident: 4305 Forte ST

Member(s) Involved: Tanner Fincher + Robert Fincher

Complainant: Tanner Fincher

Date of Birth: 03/11/1991

Address 4305 Forte ST.

Telephone #: 850-221-3185

Summary: See Documentation

- Lt. Gunn #10

Deputy Middleton #126 ✓

Sergeant Reaves #31

Deputy Mann #156 Canine

Deputy Neff #170 ✓

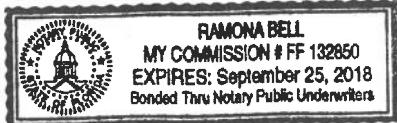
Deputy Nix #175 Day

I hereby swear and affirm that the above and all attached statements and/or documentation are true and correct to the best of my knowledge. I have fully read and understand the attached Florida State Statute § 112.533 regarding the Receipt and Processing of Complaints. Specifically, I acknowledge that until this investigation is completed, I am not to discuss my complaint with anyone other than the Deputy assigned to investigate my complaint or my legal representative.

Complainant's Signature:  Tanner Fincher

Sworn to and subscribed before me this
16th day of June 2016.

RAMONA BELL
Person Authorized to Administer Oath



ADMINISTRATIVE INVESTIGATIONS DIVISION

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Initials:

CITIZEN COMPLAINT REPORT (Cont.)



112.533 Receipt and processing of complaints.--

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- (1) Every law enforcement agency and correctional agency shall establish and put into operation a system for the receipt, investigation, and determination of complaints received by such agency from any person.
- (2) (a) A complaint filed against a law enforcement deputy or detention deputy with a law enforcement agency or correctional agency and all information obtained pursuant to the investigation by the agency of such complaint shall be confidential and exempt from the provisions of s. 119.07(1) until the investigation ceases to be active, or until the agency head or the agency head's designee provides written notice to the deputy who is the subject of the complaint, either personally or by mail, that the agency has either:
 1. Concluded the investigation with a finding not to proceed with disciplinary action or to file charges; or
 2. Concluded the investigation with a finding to proceed with disciplinary action or to file charges.

Notwithstanding the foregoing provisions, the deputy who is the subject of the complaint may review the complaint and all statements regardless of form made by the complainant and witnesses immediately prior to the beginning of the investigative interview. If a witness to a complaint is incarcerated in a correctional facility and may be under the supervision of, or have contact with, the deputy under investigation, only the names and written statements of the complainant and no incarcerated witnesses may be reviewed by the deputy under investigation immediately prior to the beginning of the investigative interview.

- (a) This subsection does not apply to any public record which is exempt from public disclosure pursuant to F.S.S. 119.07(3). For the purposes of this subsection, an investigation shall be considered active as long as it is continuing with a reasonable, good faith anticipation that an administrative finding will be made in the foreseeable future. An investigation shall be presumed to be inactive if no finding is made within 45 days after the complaint is filed.
- (a) Notwithstanding other provisions of this section, the complaint and information shall be available to law enforcement agencies, correctional agencies, and state attorneys in the conduct of a lawful criminal investigation.

- (1) A law enforcement deputy or detention deputy has the right to review his or her official personnel file at any reasonable time under the supervision of the designated records custodian. A law enforcement deputy or detention deputy may attach to the file a concise statement in response to any items included in the file identified by the deputy as derogatory, and copies of such items must be made available to the deputy.
- (2) Any person who is a participant in an internal investigation, including the complainant, the subject of the investigation, the investigator conducting the investigation, and any witnesses in the investigation, who willfully discloses any information obtained pursuant to the

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agency's investigation, including, but not limited to, the identity of the deputy under investigation, the nature of the questions asked, information revealed, or documents furnished in connection with a confidential internal investigation of an agency, before such complaint, document, action, or proceeding becomes a public record as provided in this section commits a misdemeanor of the first degree, punishable as provided in F.S.S. 775.082 or F.S.S. 775.083. However, this subsection does not limit a law enforcement or detention deputy's ability to gain access to information under paragraph (2)(a). Additionally, a sheriff, police chief, or other head of a law enforcement agency, or his or her designee, is not precluded by this section from acknowledging the existence of a complaint and the fact that an investigation is underway.

History.— F.S.S. 3, ch. 74-274; F.S.S. 3, ch. 82-156; F.S.S. 1, ch. 82-405; F.S.S. 1, ch. 83-136; F.S.S. 1, ch. 87-59; F.S.S. 2, ch. 89-223; F.S.S. 1, ch. 90-32; F.S.S. 31, ch. 90-360; F.S.S. 3, ch. 93-19; F.S.S. 722, ch. 95-147; F.S.S. 39, ch. 96-406; F.S.S. 2, ch. 98-249; F.S.S. 2, ch. 2000-184.

Form SRSO #03-109

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Untitled

While driving home on Chumuckla Hwy. After work on the afternoon of the June 8th, 2016. In a blue 1994 Dodge Dakota 3.9L with licence plate # G542YS.

The occupants of which were as listed.

Driver: Tanner Joseph Fincher. Age 25. 3/11/1991.

(850) 221-3185.

Passenger/Front seat: Robert Luther Fincher.

Age 54. 5/26/1962. (850) 736-6770

While following a blueish grey Subaru outback.

Approximated 2010. Apparently belonging to "The Lieutenant Gunn". When mid way down the hwy a large white f250 pulling a lumber trailer pulled late into traffic, from the entrance to the Sims middle school, with no indicator, causing traffic to slow drastically. Traffic began to resume it's normal speed. limit 45. The large F250 then turned down Giddens rd. I then began to enter the turning lane for Norris road.

The Subaru jumped into the lane late with no indicator.

To avoid a collision, I merged back into traffic on Chumuckla abruptly then the Subaru began to follow me. All the way back to a home, that I began renting from my mother, Daphne Fincher. (850) 485-1607 .

4305 Forte st. Pace FL. 32571.

On the dated of. June 1st. 2016.

The driving east along highway 90 I began to see an increasing number of patrol cars. The first was while passing the Burgerking restaurant. .

The traffic signal of the intersection of hwy 90,

West Spencerfield rd then turned red. I was the first vehicle in the line of traffic in the right hand lane.

The second patrol car then saw had entered the opposite side turning lane of West flowing traffic line. The Subaru had kept a distance of approx. three car lengths. While the west facing patrol car then turned into the Emmanuel Baptist Church parking lot.

The traffic signal then turned green and I began to drive the patrol car then immediately entered traffic behind me. He did not activate his siren until we were alongside the military recruitment offices located on 90, I put on my indicator. Then turned onto Vicksburg dr. Travelled approximately one hundred yards to said address on Forte.

I then exited my vehicle to four officers holding sidearms, both lethal and nonlethal. Who proceeded to tell me "Get the fuck back in your vehicle". I refused. They raised they're weapons to the firing stance. So I reentered my vehicle, A sheriff. Who's name I admittedly did not request, the asked me to exit my vehicle. I asked "Are you sure? Or are you going to shoot me? Because last time I exited the car I was almost shot."

He then said "don't be a smart ass with me. Exit the fucking vehicle."

I left the car as did my father upon request.

They promptly searched me and my father. Asked if we had any weapons on us. I stated I had a small pocket knife. He took it from my pocket and placed it on top of my truck bed toolbox. Asked if I had anything illegal in the car that he should know

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Untitled

about. I allowed them to search my vehicle with a K-9 unit. Upon circling my car three times gave, as well as entering it. Gave no indication of illegal activity.

And was returned to its hold in a vehicle belonging to a sheriff. I then was served two tickets. And was told by uniformed officers that the occupant in the Subaru was "The lieutenant Gunn".. who had orchestrated the entire incident.

They threatened my neighbors, my father, and myself in an excessive abuse of force. Then, within the next hour I observed a patrol unit staking out my home from the shoulder on Vicksburg drive. Then when I acknowledged the vehicle with a wave, he then pulled an abrupt U-turn and pulled onto Caroline st.

Signed

Tanner J. fincher
Tanner J. fincher T.F

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Untitled

"Stay the fuck in the car." That is what I as well as children in the neighborhood heard a Santa Rosa deputy yell at an unarmed and non threatening Tanner Fincher. I watched the incident through the window at Mr. Fincher's residence.

I am the owner of the silver mustang (tag # 246 MNV) and had arrived earlier to drop off some old records. I witnessed 7 deputies on one citizen with guns and tasers drawn. As a tax paying member of our community, this blatant and borderline Orwellian abuse of power both enrages and disturbs me. I believe every officer involved including the off duty lieutenant needs remedial training on how to interact with the community. Those officers were ready to murder a hard working man who was just trying to make it home after work.

Ryan R. Miller

A handwritten signature in black ink, appearing to read "Ryan R. Miller". The signature is fluid and cursive, with a distinct "R" at the beginning.

